



# Superintendent's Compendium 2012



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National Park Service  
U.S. Department of the Interior

Big Cypress  
National Preserve

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**Superintendent's Compendium**  
Of Designations, Closures, Permit  
Requirements and Other  
Restrictions Imposed Under  
Discretionary Authority.

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Approved:

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Pedro Ramos, Superintendent

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In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Big Cypress National Preserve. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

## **36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USES OR ACTIVITIES**

### **(a)(1) Visiting hours, public use limits, closures**

#### **Off-Road Vehicle (ORV) Use**

##### ***Definitions***

***Designated Trail*** means a trail that has been specifically authorized for ORV use by the Superintendent. To be authorized the trail must appear on a current official map designating the trail for the appropriate management unit and marked as such.

***Prairies*** mean an area mostly treeless that are dominated by grasses and/or grass like plants.

***Measurement of Tread Face*** means the tread of a tire that will be measured using a flexible tape measure \_capable of conforming to a rounded surface. The measurement will be from one edge of the tread face to the other, along the flat or curved tread surface of the tire as viewed in cross – section.

***Tread Face*** means that portion of the outer surface of the tire that actually makes contact with the trail substrate during normal use. This includes those portions of tread which extend onto the sides of the tire since they are designed as such to aid in cornering and in soft ground are load bearing.

***Off-Road Vehicle (ORV)*** means a motorized vehicle including ATVs; swamp buggies; airboats, street-legal 4-wheel-drive vehicles; and UTV's.

***Airboat*** means a commercially or custom designed/manufactured vessel consisting of a shallow, rectangular hull powered by an aircraft or automobile engine mounted on the rear of the vessel that drives a large aircraft propeller(s).

***All-terrain vehicle*** as defined by the State of Florida Title 23, Motor Vehicles; Chapter 316, State Uniform Traffic Control; Section 316.2074 (2) As used in this section, the term "all-terrain vehicle" means any motorized off-highway vehicle 50

inches or less in width, having a dry weight of 1,200 pounds or less, designed to travel on three or more non-highway tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator with no passenger. For the purposes of this section, "all-terrain vehicle" also includes any "two-rider ATV" as defined in s. 317.0003 (10) which states: "Two-rider ATV" means any ATV that is specifically designed by the manufacturer for a single operator and one passenger.

**Street Legal** a vehicle that is currently registered inspected and insured, as required, by state law to be operated on public roadways.

**Swamp Buggy** means a 4WD vehicle that is not a registered vehicle and therefore cannot operate legally on roadways. It is typically a modified vehicle that will have 4 or more tires that does not utilize "skid steering".

## **Management Units Open to ORV Travel**

The following areas, which are shown on various maps available for public inspection at the office of the Superintendent, Visitor and Welcome Centers, and posted at ORV Access Points; are open to ORV use as follows:

- Bear Island Unit – swamp buggy, ATV, and street legal 4X4 use on designated trails only. Permitted ORVs must enter/depart the unit at designated Access Point 1 or 1A. (see BIU ORV map)
- Turner River Unit – swamp buggy and ATV use on designated trails only. Permitted ORVs must enter/depart the unit at designated Access Points 2-6, 8 or 10. (see TRU ORV map)
- Corndance Unit–In this area ORVs must remain on the designated primary trail. Permitted ORVs must enter/depart the unit at designated Access Points 8 or 9. (see CDU ORV map)
- Stairsteps Unit– this unit is further subdivided by zone:
  - Zone 1 – closed to all ORV use.
  - Zone 2 – swamp buggy and ATV use on designated trails only. Permitted ORVs must enter/depart the unit at designated Access Point 7 or 11. (see stair steps unit map)
  - Zone 3 – swamp buggy and ATC use on designated trails only. NOTE: Future plans call for swamp buggy, ATC and airboat use in this Zone on yet to be determined designated trails. Permitted ORVs must enter/depart the unit at designated Access Points 12 or 13. (see stair steps unit map)
  - Zone 4 – airboat use only on designated trails. Designated trail width is 100 feet, 50 feet on either side of the marked center line of trail. A straight-line path from trail marker to trail marker denotes the center line of trail. Permitted ORVs must enter/depart the unit at designated Access Points 14 or 15. (see stair steps unit map)

## **Areas Closed to ORV Travel**

- Florida National Scenic Trail (FNST). In order to avoid or minimize user conflicts and to meet the intent of the National Trails System Act of 1968 (16 U.S.C. 1241-1249); ORV travel on the FNST is prohibited. ORVs may cross the FNST at or near a right angle on trails designated for ORV use.

## **Closure of Areas**

The following closures/limits of use are promulgated or anticipated:

- Nightly Closures – recreational ORV use is prohibited throughout the Preserve between 10:00 P.M. and 5:00 A.M.

- 60-day Period – recreational ORV use of all or a portion of a unit will be prohibited for a 60-day period each year to allow resources a time free from any pressures related to such use.
- Hydrologic conditions – high or low water conditions in a given area which place greater than normal demands on wildlife may result in the prohibition or limitation of recreational ORV use.
- Safety Closures – during periods of time when conditions present a safety hazard to visitor use, recreational and/or non-recreational ORV use may be prohibited or limited.
- Threatened and Endangered (T&E) Species Protection Closures – periodic unit or trail closures may be required due to the presence of various threatened or endangered species.
- The Superintendent will announce all seasonal, hydrologic, T&E Species and safety closures by issuing a superintendent's order in accordance with §§ 1.5 and 1.7 of this Chapter.

### **ORV Permits Required**

- Under the ORV permit program the following types of permits may be issued:
  - ORV Permit – issued after inspection to vehicles meeting the specifications and limitations of this section.
  - ORV Operator's Permit – issued to a person with a valid state driver's license or learner's permit who wishes to operate an authorized ORV in the Preserve. They must successfully complete a vehicle operator's course offered by the Preserve,
- Any permit required by this section must be carried or displayed appropriately by a person operating an ORV within the Preserve. Authorized persons may check permits and ORVs for compliance with applicable laws and regulations.

Number of permits – The National Park Service will issue no more than: 2000 recreational Off-Road Vehicle Permits per year in the original Preserve. Recreational ORV permits are “special use permits (SUPs)” and require a fee.

- ORV Permit period – The period of validity is: January 1 of each year through January 31 of the following year. This 13 month period allows a month long grace period to obtain a new permit should there be a random drawing in a given year and s/he is successful in the drawing.
- Allocation of ORV Permits – If the number of ORV Permits purchased for a given area meets the limit specified above, a lottery Random Drawing will be held for the next years' issuance.
- Transferability – ORV Permits are not transferable to other vehicles owned by the same person or family, or to other ORV owners.
- Renewal – Authorized ORVs will be registered to only one person and only that person can renew the permit. Permits must be renewed annually.

### **ORV Inspection Program**

All ORVs are required to meet specifications for that particular type of vehicle (ATV, airboat, swamp buggy, or street-legal four-wheel-drive vehicle).

- All ORVs must be inspected for compliance with ORV specifications. Successful compliance will result in issuance of an inspection sticker marked with an expiration date. Inspection stickers are valid for 3-years.
- Inspections stickers must be affixed to the ORV as follows:
  - Airboat – steering bar (joystick)
  - Swamp buggy – steering column
  - Street legal 4X4 – inside the driver’s door
  - ATC – center of steering mechanism

### **Landowner, Lessee non-recreational ORV access**

- Landowners, lessees and their guests are not required to purchase a recreational ORV permit when exercising the right of ingress/egress. They must obtain a SUP for access which will designate a route of travel and authorized vehicle type. These SUP holders must meet all requirements for ORV use in the Preserve including but not limited to holding a valid ORV operator permit, meeting all vehicle specifications, completing the education course annually, and complying with all rules and regulation relating to ORV use in the Preserve. There is no charge for this access permit and they do not count against the 2000 permits authorized for recreational ORV access. If a landowner, lessees or guests wishes to recreate on trails within the Preserve not designated on their SUP they will need to purchase a recreational permit.

### **Authorized ORVs & ORV Specifications**

The following ORV types are authorized for use on designated trails and areas in the Preserve

- Airboats, *provided that*:
  - Total width cannot exceed 8.0 feet.
  - Length cannot exceed 14.0 feet (including grass rake).
  - The exhaust of every engine used on any airboat operated in Florida must use an automotive-style factory muffler, underwater exhaust, or other manufactured device capable of adequately muffling the sound of the engine exhaust. The use of cutouts or flex pipe as the sole source of muffling is prohibited.
  - Must meet all State of Florida and U.S. Coast Guard rules and regulations for vessels, including lighting and registration.
  - Must fly a solid, orange-colored safety flag, 10 inches by 12 inches or larger, at a minimum of 10 feet above the bottom of the airboat.
  - Must display vessel registration numbers, a minimum size of 3 inches, on each side of the bow, or on both sides of the rudder, or outside of dual rudders. The numbers must be a contrasting color from the underlying attachment surface.
- Swamp Buggies, ATCs, and Street Legal 4X4s; *provided that*:
  - Cannot exceed 8.0 feet in total width, including tires.
  - All tires must have a minimum of 9 inches of tread face, except ATC front tires must have a minimum of 7 inches of tread face.
  - Any tire chain, bar grip, or other device affixed to a tire in any way is prohibited.
  - Tracked vehicles are prohibited.
- Any wheeled ORV when operated off-road and in parking areas during the period from one-half hour after sunset to one-half hour before sunrise shall display at least one forward-facing white headlight and one red

lighted taillight, each of which shall be visible for a distance of 500 feet in their respective directions under clear atmospheric conditions.

- ORV utility trailers must comply with all applicable federal and state laws and regulations.
- Camper trailers are prohibited on ORV trails.
- An Authorized ORV must also:
  - Conform to any applicable federal or state law.
  - Have a muffler in good working condition and constant operation.
  - Demonstrate that mechanical systems important for safe operation are in good operating condition.

*Justification: These closures and public use limits are included as part of the implementation of the “Final Recreational Off-Road Vehicle Management Plan Supplemental Environmental Impact Statement (2000).*

### **Other Closures or Public Use Limits**

- All National Park Service (NPS) lands located in what is referred to as the Addition Lands are closed to hunting until designated as open by the Superintendent.
- All National Park Service (NPS) lands located in what is referred to as the Addition Lands are closed to the use of recreation off-road vehicles (ORV) until designated as open by the Superintendent.
- The motorized vessel commonly referred to as the “Go Devil” is prohibited on all wetland areas in the Preserve except for manmade canals, Halfway Creek, New River and their tributaries.

*Justification: Go Devils are a type of boat and motor commonly used in the bayou country of Louisiana. The design of the boat allows unlimited access across shallow wetlands and has a potential for adverse environmental impact on aquatic plants and the substrate. Further analysis of potential impacts must be conducted prior to considering authorization.*

- The Turner River north and south of Highway 41 is closed to motorized vessels and airboats.

*Justification: The GMP designates this section of the Turner River as a canoe trail, and this closure ensures that conflicts of use with motorized vessels will not occur.*

- The Oasis Visitor Center, Big Cypress Welcome Center and Headquarters parking areas are closed to overnight parking without permission.

*Justification: These parking areas quickly exceed capacity during heavy visitation periods and cannot accommodate long term parking.*

- During the bald eagle nesting period, October 1 to May 15, the area extending 1500 feet outward from the designated nest tree is closed to public use. Signs will designate the closed area.

*Justification: This restriction is necessary to protect bald eagles during a critical phase of their life cycle.*

- The areas 1/2 mile from and around the Miccosukee religious sites, commonly known as the Snakedance site, south of Highway 41, and the Corndance site, north of Hwy 41, are closed to public use. This closure



does not preclude the National Park Service from carrying out normal operational responsibilities or ceremonial sites in the Addition lands.

*Justification: This regulation ensures that Native Americans can conduct their religious activities in privacy.*

- Areas Closed to fishing:
  - Oasis Visitor Center: Fishing is prohibited in the canal on the north side of Highway 41 in front of the Oasis VC, for a distance of 200 yards east and west, as measured from the midpoint of the front door of the building.
  - Kirby Storter Boardwalk
  - Within the Turner River Unit fishing is prohibited in the Turner River Canal from the bridge on U.S. Highway 41 to 1/10-mile north
  - Turner river canoe launch
  - Fishing is prohibited from the wildlife viewing boardwalks and adjacent areas on the North side of canal at the park's Welcome Center.

*Justification: This prohibition reduces the possibility of alligators becoming habituated to human presence, of their being fed by humans through the discarding of bait or unwanted catch, and the disturbance of alligator behavior in an area set aside for the view of wildlife in a natural state.*

The headquarters residential and surrounding administrative area is closed to public use (Appendix A).

*Justification: These areas are closed to public use for the security and safety of the residents and operational areas.*

- The developed area north of and associated with the Big Cypress Visitor Center (Appendix B), Trail Center, Loop Road, Education Center, Fire Operations Center and residence area is closed to the general public except for legitimate business reasons. The headquarters administration offices and parking areas are open to the public during regular business hours for legitimate business purposes.
- The Eleven Mile Road is closed except to use by the following authorized vehicles:
  - petroleum industry vehicles;
  - vehicles of persons hired to carry out the activities essential to oil exploration and production;
  - government vehicles,
  - vehicles/ORVs of mineral owners whose lands are in active exploration or production. Access by vehicles of mineral owners shall be limited to activities directly associated with pursuing or protecting mineral interests.
  - Off-road vehicles may cross the Eleven Mile Road at designated locations.
  - Authorized vehicles using the Eleven Mile Road must use citizen band radios at designated intervals. Pedestrians may cross the road at any time, but may not walk along the road.

*Justification: 11 mile road was closed to public use and its authorized use further restricted in order to mitigate safety and environmental concerns.*

- The area within 1600 feet of campgrounds, the Oasis Visitor Center, Welcome Center and administrative complex, Ochopee headquarters area, the Environmental Education Field Use Area on Birdon Road, Loop Road Ranger Station, Kirby Storter and the Environmental Education Center and trail on the Loop Road, are

closed to hunting. The boundary of each safety zone should be marked by signs with text similar to SAFETY ZONE, SHOOTING, and HUNTING, PROHIBITED.

*Justification: This restriction will help prevent a conflict of use and visitor safety issue by preventing the discharge of weapons in close proximity to occupied areas.*

- Motor vehicle access into the Bear Island Unit from State Road 29 by the Bear Island Road, is prohibited except by the following vehicles authorized by special use permit:
  - petroleum industry vehicles;
  - vehicles of persons hired to carry out the activities essential to oil exploration and production;
  - government vehicles;
  - vehicles of mineral owners whose lands are in active exploration or production;
  - public utilities providing service within the unit and exempt property owners.
  - Exempt landowners, lessees and their guests.

Such access shall be limited to activities directly associated with pursuing or protecting their specific interests.

*Justification: The area at this intersection is part of the "Addition Lands" and is not currently designated for vehicle use.*

- Swimming at the campground borrow pits is prohibited. This regulation does not apply to customary uses by members of the Seminole Tribe of Florida and Miccosukee Tribe of Indians of Florida.

*Justification: This prohibition reduces the possibility of alligators that may have become habituated to human presence from presenting a safety problem. Additionally, the borrow pits have little or no sloping shoreline and steep drop offs which create an additional hazard in their use. Tribal members are afforded use privileges by the Preserve's enabling legislation.*

- Only non-motorized boats or electric powered boats are permitted in Preserve borrow pits.

*Justification: This closure is implemented to mitigate safety hazards associated with operation of motorized vessels on a small body of water and to reduce noise impacts in campground areas.*

- The use of motorized vessels commonly referred to as personal watercraft or "jet skis" are prohibited on all Preserve waters.

See specific sections in this document for additional information regarding closures, visiting hours, and public use limits. Information on temporary and emergency closures is available at the Preserve Visitor and Welcome Centers, Park's web site and kiosks located in various visitor use areas.

## **(a)(2) Designated areas for specific use or activity or conditions**

See specific sections in this document for additional information regarding designated areas and conditions for engaging in certain activities not listed below.

- Use of Segways™ and similar devices:
  - Use of Electric Personal Assistive Mobility Devices (Segways™ and similar devices) as defined in FL Statutes Title XXIII Chapter 316.003 on roads, streets, bicycle paths and sidewalks are governed by FL Statutes Title XXIII Chapter 316.2068.

- Use of Segways™ and similar devices by persons with disabilities as a means of mobility is authorized in the following areas on surfaces open to pedestrian traffic:
  - All indoor areas open to the public;
  - H.P. Williams Viewing Platform;
  - Oasis Viewing Platform;
  - Kirby Storter Boardwalk.
  - Welcome center boardwalk

*Justification: The NPS has set a goal of ensuring that all people, including persons with disabilities, have the highest level of accessibility that is reasonable to our programs, facilities, and services in conformance with applicable regulations and standards. These areas have surfaces amenable to safe operation of Segways™ and similar devices.*

- Segways™ and similar devices used by persons with disabilities as a means of mobility in the locations listed above must be operated at a speed no greater than pedestrian walking pace and in a manner consistent with pedestrian traffic in those areas where use is authorized.

*Justification: The locations listed are relatively confined and at times congested with pedestrian traffic. The safe operation of Segways™ and similar devices is dependent on their integration into the normal flow of pedestrian traffic.*

- The following are prohibited:
  - Use of Electric Personal Assistive Mobility Devices by able-bodied persons on sidewalks or off-road vehicle bicycle paths in the Preserve.

*Justification: Sidewalks in the Preserve exist only at viewing areas or buildings in close proximity to parking lots and pedestrian traffic. They are confined areas where motorized vehicle use by the able bodied public is not generally safe. Use of these motorized vehicles on off-road bicycle paths is inconsistent with the off-road vehicle management plan.*

- Use of Electric Personal Assistive Mobility Devices by persons with disabilities as a means of mobility on off-road vehicle bicycle paths, off-road vehicle trails or foot trails.

*Justification: These paths and trails consist of uneven surfaces that are maintained for use by backcountry hikers, mountain bikes or certain designated off-road vehicles. They are not safe for the operation of an assistive device that is dependent on rapid user weight shift as a means of maintaining balance. Additionally these areas are frequently under water up to many feet in depth. In the case of the off-road bike and vehicle paths/trails, alternative, authorized, motorized access is available to the mobility challenged individual.*

- Operating a Segway™ or similar device without due care or at a speed greater than that which is reasonable and prudent considering wildlife, traffic, weather, operating surface and light conditions or character.
  - Operating a Segway™ or similar device by persons with disabilities as a means of mobility in an area not specifically authorized for their use.

## 1.6(f) Compilation of activities requiring a permit

- Scientific research, (1.5)
- Collecting research specimens, (2.5)
- Operating a power saw in developed areas, (2.12(a)(2))
- Operating a portable motor or engine in undeveloped areas, (2.12(a)(3))
- Operating a public address system, (2.12)(a)(4))
- Air delivery, (2.17(a)(3))
- Noncommercial soliciting, (2.37)
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, (2.38(a))
- Special events, (2.50(a))
- Public assemblies and meetings, (2.51(a))
- Sale and distribution of printed matter, (2.52(a))
- Grazing, (2.60(a)(1),(2));
- Residing on federal lands, (2.61(a))
- Installing a monument or other commemorative installation, (2.62(a))
- Scattering of human ashes, (2.62(b))
- Operation of a submersible, (3.19)
- Commercial notices or advertisements, (5.1)
- Commercial operations, (5.3)
- Commercial photography or filming, (5.5)
- Construction or repair of any building, structure, facility, road, trail, or airstrip on federal lands, (5.7)
- Mining operations (9.9(a)) or an approved Plan of Operations (in lieu of permit))
- Oil and Gas operations (9.32(a))
- Access to inholdings via ORV, (1.5(a))
- Off-road vehicle (ORV) use, (1.5(a))
- Backcountry access, (1.5(a))

## PART 2. RESOURCE PROTECTION, PUBLIC USE AND RECREATION

### **2.1(a)(4) Designated areas for collection of dead and downed timber for firewood**

Only dead wood lying on the ground may be collected as fuel for campfires within the Preserve. This wood cannot be removed from the preserve.

*Justification: There are sufficient quantities of dead wood on the ground so that this use is not environmentally detrimental. If monitoring indicates adverse affect this will be revised.*

### **2.1(a)(5) Designated areas and conditions for walking, climbing on archeological cultural resource sites**

There are no designated areas at present.

### **2.1(b) Designating trails**

No restrictions on walking or hiking at present.

### **2.1(c)(1-3) Designated fruits and berries, to harvest by hand**

Citrus fruits and bananas may be collected for personal consumption.

*Justification: This designation serves to provide the broadest use and enjoyment of the Preserve in the least restrictive manner so long as there is no adverse affect to park wildlife, the reproductive potential of a plant species or otherwise affect of Preserve resources.*

### **§2.2(d) Established conditions and procedures for transporting lawfully taken wildlife through park areas**

Hunters are required to identify themselves and the location where the wildlife that is being transported across park/preserve land was taken when requested by a park ranger. Identification of the site may consist of specific directions, maps, or upon request the hunter may be required to accompany the ranger to the location to verify the kill site.

*Justification: This requirement is intended to allow transport of legally taken game across Preserve lands, protects public safety and avoids unwarranted public accusations that an illegal hunt may have taken place in the Preserve.*

### **§2.2(e) Designated areas for wildlife viewing with artificial light**

The Preserve is closed to the viewing of wildlife with an artificial light except that artificial lights may be used during frogging activities.

*Justification: Wildlife viewing with an artificial light may disrupt natural wildlife activities and condition wildlife to human presence. This regulation also provides increased protection of wildlife from poaching activity.*

### **2.3(d)(2) Fresh waters designated as open to bait fishing with live or dead minnows or other bait fish, amphibians, nonpreserved fish eggs or fish roe**

No waters are designated as open to fishing with the types of bait identified above. Other types of bait may be used in accordance with state law.

### **2.3(d)(8) Designated areas open for fishing from motor road bridges and public boat docks**

### **2.4 (a)(2)(i) Carrying of weapons at designated locations and times**

Individuals are authorized to possess firearms in NPS areas in accordance with applicable state and federal law. Possession of firearms is prohibited in Federally-owned or leased buildings. The law regarding discharge of firearms remain unchanged.

*Justification: This wording reflects implementation of 512, P.L. 111-24, Credit Card Accountability Responsibility and Disclosure Act of 2009, 123 Stat. 1764-65 § 512 effective February 22, 2010*

## 2.4 (a)(2)(ii) When used for target practice at designated times and facilities

No such areas are authorized at this time.

## 2.10 (a) Camping - designated sites, areas, conditions and permits

- The Volunteer-In-Parks campsites are closed to public use.

*Justification: The VIP sites are not designated camping sites for public use; they are reserved in order to support Preserve operations.*

- Recreational vehicle camping and the use of camping trailers in the Preserve is restricted to the designated campgrounds: Bear Island, Monument Lake, Burns Lake, Midway, Mitchell's Landing, and Pinecrest. Maximum use and vehicle capacity permitted at a single campsite is 8 people, 1 camper unit, or two vehicles (only one of which can be an RV) per site. ORVs are not counted as vehicles for the purpose of this section.

*Justification: This regulation establishes campsites in accordance with the General Management Plan. Use limits on campgrounds and campsites are established to minimize resource impacts, visitor conflict and site degradation.*

- Except for the period and location indicated below, no camping gear can be left in the backcountry when the user is not actively camping and staying overnight at the campsite.
  - An individual may camp or leave camping gear unattended in backcountry areas of the Preserve, **except for Zone 4**, including the designated sites in the Bear Island campground, Gator Head and Pink Jeep campsites, for the length of the specific hunting season as follows:
    - Archery Season/Muzzle loading Season
    - General Gun Season
    - Spring Turkey Season
  - Individuals occupying a site may bring camping equipment onto the Preserve after 8:00 a.m. one day before the opening of the specific season and must remove camping equipment from the Preserve before 6:00 p.m. one day after the above stated season ends. On the Bear Island Unit property may be left unattended only at designated campsites. Individuals who leave their camping equipment for longer than 24 hours must leave identification (name, address, telephone number) clearly visible with or on the camp gear.

*Justification: The use of the backcountry for extended periods of time has been a traditional activity in the Preserve. This regulation establishes extended occupancy and unattended property guidelines which coincide with the established hunting periods. These periods will be adjusted annually as season dates are established. In order to reduce inconvenience to primitive weapons hunters, equipment may be left during the six days between archery and muzzle loading seasons.*

- Backcountry camping in the Bear Island Unit is permitted only at designated campsites (The Gator Pit, 9 sites and The Pink Jeep Trail, 9 sites).

*Justification: This regulation establishes campsites in accordance with the General Management Plan. Use limits on campgrounds are established to minimize resource impacts and site degradation.*

- In Zone 4: airboat users must camp in designated campsites only (1-17); backcountry camping is allowed in other areas of Zone 4 (except the seaside sparrow closure area) when access is gained by foot or non-

motorized vessel, and the campsite is located at least 1/2 mile from the Loop road and 1/4 mile from any designated campsite or airboat trail; no personal property can be left in the backcountry (tents, grills, cookware, tables, bedding, etc.) anywhere in Zone 4 when the user is not actively camping and staying overnight at the campsite.

- Tent camping is permitted in established campgrounds and in non-developed areas throughout the preserve, except as restricted in the Bear Island Unit and Zone 4. However, in non-developed areas such backcountry camping is prohibited within 1/2 mile of any developed area or established county or state roads.
- Monument Lake; Tent camping only area: Camp site capacity is 6 people and 2 vehicles per site. All ORV traffic is prohibited within the designated camping area.
- No person, party, or organization shall be permitted to camp in designated areas for more than the total maximum number of days (except in the Bear Island Unit and Zone 4) as follows:
  - January 1 to April 30, 10 days maximum
  - May 1 to December 31, 14 days maximum
- Once the daily limit has been reached for each time period, no person, party, or organization may use another designated area for the remainder of that season.
- No person shall be permitted to camp in the Preserve backcountry for more than 30 days total, per year.

*Justification: This regulation establishes length of stay periods for each developed camping facility. South Florida experiences a significant influx of visitors from September to April. Without length of stay restrictions individuals would establish long-term use patterns.*

#### **2.10(d) Food storage - designated areas and methods**

- Food must be kept sealed in a vehicle or a camping unit constructed of solid non-pliable material, stored in a sealed plastic or metal container, or shall be suspended at least 10 feet above the ground. This restriction does not apply to food that is being transported, consumed, or prepared for consumption.

*Justification: The intent of these designations is to prevent bears, bobcats, Florida Panthers and other wildlife from obtaining and habituating to food and garbage, thus protecting wildlife and park visitors alike.*

#### **2.11 Picnicking - designated areas**

Picnicking is allowed except in areas closed in accordance with § 1.5.

#### **2.13(a)(1) Fires - Designated areas and conditions**

Attended, small campfires are allowed at designated camping areas and backcountry campsites. All fires shall be completely extinguished prior to the user leaving the campsite.

*Justification: The South Florida ecosystem experiences high fire danger. This regulation will minimize the risk of human caused wildfires.*

#### **2.14(a)(2) Sanitation and refuse - using government receptacles**

Dumping commercial, household, or industrial refuse, brought in from private or municipal property, in government receptacles is prohibited.

*Justification: This requirement is intended to ensure the refuse handled by the preserve is generated by activities occurring within the preserve.*

#### **2.14(a)(5) Sanitation - designated areas for bathing and washing**

No designated areas. Unless otherwise allowed by the Superintendent, bathing and washing of cooking utensils, food and other property at all public water outlets, fixtures, or pools is prohibited.

*Justification: Due to the seasonal wetland nature of our area and our mission of protecting critical watershed resources the introduction of gray water onto the ground is unacceptable.*

#### **2.14(a)(7) Sanitation- designated areas for disposal of fish remains**

No designated areas. Fish remains may not be disposed of on either land or water within 200 feet of public boat docks or designated swimming beaches.

*Justification: Disposal of fish remains in open waters results in habituation of alligators to human presence thus creating a visitor safety issue as well as making alligators dependent on humans for a continuous food supply. It also detrimentally affects water quality.*

#### **2.14(a)(8) Sanitation - human waste in developed areas**

Human waste must be disposed of in public restrooms and outhouses where available.

*Justification: Proper disposal of human waste in developed areas through the use of designated restrooms and outhouses eliminates a water quality, health and aesthetic problem.*

#### **2.14(a)(9) Sanitation - designated areas for disposal of human waste in undeveloped areas**

In non-developed land areas, all human body solid waste must be buried out of sight and more than 100' from a trail, water, or a campsite. If located on an island with a campsite, all human body solid waste should be buried out of sight as far from the core camp and landing site as possible, preferably 100' or farther, and as far away from the water line as reasonably possible. If at any of these locations there is a designated human body solid waste disposal site, it must be used for disposal of human body solid waste.

*Justification: This requirement is intended to ensure that proper disposal of human waste occurs in order to protect archeological sites, water quality and visitor safety.*



## **2.14(b) Sanitation- conditions concerning disposal, carrying out of human waste**

No restrictions at present.

## **2.15(a)(1) Pets – restrictions**

Dogs and cats on leash, crated, or otherwise under physical constraint are permitted only within 50 feet of established front country roads and parking areas. Dogs and cats are prohibited on established trails, boardwalks, and in the backcountry, except that private landowners within the Preserve may transport dogs to their private property via a designated route as authorized by a Special Use Access Permit.

*Justification: This restriction serves to protect wildlife and visitors.*

## **2.15 (a)(5) Pets – pet excrement**

Visitors in the following areas will be responsible for disposing of excrement from their pets: all parking, picnic and camping areas, and the areas around the Big Cypress Visitor Center and Ochopee Headquarters. Excrement must be collected and disposed of in sealed containers or bags and placed into a designated garbage can.

*Justification: Proper disposal of pet waste in developed areas through collection and disposal eliminates a water quality, health and aesthetic problem.*

## **2.15 (b) Pets – hunting dogs**

All dogs authorized by state regulations to be used in support of hunting activities (bird dogs and retrievers only) must carry identification tags or be tattooed. The identification shall include the owner's name and current address, or current telephone number.

*Justification: Identification requirements will assist in locating the owner of a lost dog.*

## **2.15 (e) Pets – Preserve employees residing within park residential areas may retain pets in accordance with the preserves Quarters Policy. Pets must be restrained at all times and owners are subject to all applicable regulations.**

*Justification: Employees residing in government quarters are entitled to maintain their private lives similar to other citizens of Florida, providing their actions do not prevent the preservation or protection of Preserve resources.*

## **2.16 (b) Horses and pack animals – designated areas of use**

The use of horses or pack animals is permitted, except in developed areas such as visitor center parking areas, campgrounds, or picnic areas.

*Justification: The use of horses and pack animals in the Preserve is limited by field conditions and has not been shown to be resource impacting.*

## **2.16 (g) Horses and pack animals – conditions of use**

- Stockowners must scatter all manure dropped at trailheads.
- Stock shall only be fed weed free feed.
- Riding horses on the Florida Trail is prohibited.
- Tying horses or pack animals to live trees or other plants is prohibited, if the tying causes damage to vegetation.

*Justification: The scattering of manure promotes rapid decomposition and reduces odors. Weed free feed will help to prevent the spread of exotic plants. The use of horses and pack animals on the Florida Trail would create a conflict of use with hikers, for whom the trail is designed and authorized. Tying horses or pack animals to live trees or plants presents a heightened risk of resource damage which is a violation.*

## **2.20 Skating and skateboards**

Visitors may use roller skates, roller blades, skateboards, and other coasting vehicles on Dona Drive and Seagrape Drive. The use of roller skates, roller blades, skateboards, and other coasting vehicles by NPS quarters occupants or their guests will be allowed in the Preserve residential areas

*Justification: This extends additional recreational opportunities to visitors and residents.*

## **2.21 Smoking**

Smoking is prohibited in all public buildings, except in posted designated smoking areas. Smoking is prohibited within one hundred (100) feet of the Preserve's fuel and aviation gas storage facilities.

*Justification: These restrictions are intended to protect public safety from fire or explosion around fuel storage and dispensing facilities and to comply with State and Federal law.*

## **2.22 (a)(2) Property - leaving property unattended for longer than 24 hours**

Visitors involved in extended backcountry use, e.g., hunting or hiking on the Florida Trail may leave their vehicles and associated property unattended in the designated area for longer than 24 hours.

An individual may leave tree stands or similar devices unattended for the length of the specific hunting seasons as follows:

1. Archery /Muzzle Loading Season
2. General Gun Season
3. Spring Turkey Season

Individuals may bring this equipment into the Preserve after 8:00 a.m., one day before the opening of the specific season, and must remove the equipment from the Preserve before 6:00 p.m., one day after the above stated season ends. Individuals who leave equipment unattended must leave identification (name, address, phone number) clearly visible on the tree stand or similar device.

*Justification: These uses typically involve longer stays and/or use over a period of time thus requiring a relaxation of the regulation in order to enhance visitor enjoyment.*

### **2.35(a)(3)(i) Alcoholic beverages - areas closed to consumption**

The consumption of alcoholic beverages by the public is prohibited within Headquarters offices, Big Cypress Visitor Center, Welcome Center, Fire Operations Center and their respective parking areas.

*Justification: These areas where the public engages in business with the government or is participating in educational opportunities. Alcohol consumption under these circumstances is inappropriate and not conducive to good public order.*

### **2.38(b) Explosives - areas designated for using fireworks**

No areas designated for use of fireworks. Fireworks are prohibited.

### **2.51(e) Public assemblies/meetings - designated areas**

All areas of the Preserve are open to public assemblies with a permit from the Superintendent.

### **2.52(e) Sale and distribution of printed matter-areas designated for such use**

The Oasis Visitor Center, Welcome Center and Preserve Headquarters have designated locations for the sale and distribution of printed matter.

*Justification: The sites selected are based on the activities impact on park operations, public use facilities and to minimize intrusion on the visitor experience.*

### **2.62(b) Memorialization – human ashes**

A permit is required for the scattering of human ashes.

*Justification: The permit process ensures that resource and visitor protection requirements are met during scattering and subsequent memorial activities.*

## **PART 3. BOATING AND WATER USE ACTIVITIES**

### **3.3 Permits**

Airboats must have a current, valid, Off-Road Vehicle Permit to operate within the Preserve.

*Justification: Airboats are included as an authorized vehicle type in the ORV plan for the original Preserve.*

### **3.8(a)(1) Boating, prohibited operations – Launching or operating airboats**

Superseded by 36 CFR 7.86

*Justification: Airboats are included as an authorized vehicle type in the ORV plan for the original Preserve.*

### **3.8(a)(1) Boating, prohibited operations – designated launching areas**

The following areas are designated as boat launch areas:

- Airboats – Mitchell's Landing, Boundary Line.

- Canoes/Kayaks/non-powered boats – Turner River Canoe Launch, Dona Drive boat ramp, Seagrape Drive boat ramp, any body of water accessible to hand-carried or dolly equipped boat.
- Motorized boats – Dona Drive boat ramp, Seagrape Drive boat ramp and behind the Carnestown chamber of commerce.

*Justification: Designated launch areas minimize environmental impact by concentrating activity in an area that can be properly maintained. It also ensures public safety by providing an area with sufficient space to allow the launch/retrieval operation to occur without adversely impacting other area traffic.*

3.8(a)(4) Boating, prohibited operations – length, width, horsepower limitations  
No maximum size designations at present.

3.12(a) Using a vessel to tow a person for water skiing or similar activities – designated waters  
No waters are designated as open for these activities.

## PART 4. VEHICLES AND TRAFFIC SAFETY

4.10(b) Travel on park roads and designated routes – areas designated for off-road motor vehicle use  
See 36 CFR 7.86(a) and section 1.5(a)(1) of this compendium

4.10(c)(1) Prohibited operations – track-laying vehicles  
Tracked vehicles are prohibited.

4.11(a) Load weight and size limits – permit requirements and restrictive conditions  
No restrictions at present.

4.21(b) Speed limits – designation of a different speed limit  
The speed limits for the following areas are established as prescribed below or as posted on site:  
Dona Drive – 25 mph  
Seagrape Drive – 25 mph  
All Oil Roads – 35 mph daylight, 20 mph night time  
Loop Road – 30 mph, 15 mph in curves

*Justification: Reduced speed limits on Dona and Seagrape Drives and residential areas help assure the safety of visitors and residents alike. Oil roads are used by heavy vehicles, many of which are hauling petroleum products, with limited stopping capability and located in critical Florida Panther habitat. Reduced speeds will result in resource and visitor protection.*

#### 4.30(b) Bicycles – designated routes

The use of bicycles is allowed on all designated trails, the Fire Prairie Trail, and the trail known as Noble's Grade located north of Interstate 75.

*Justification: Bicycle use is extended to ORV routes and two other locations suitable for their use.*

#### 4.31 Hitchhiking – designated areas

No areas of the preserve are open to hitchhiking.

## PART 7 – SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

### 7.86 Big Cypress National Preserve

#### **(a) Motorized Vehicles**

This section of 7.86 has been superseded in some parts by the implementation of the “Final Recreational Off-Road Vehicle Management Plan Supplemental Environmental Impact Statement (2000). The modifications have been made under the authority of the Superintendent under section 1.5 of this part and are included there.

*Justification: Implementation of “Final Recreational Off-Road Vehicle Management Plan Supplemental Environmental Impact Statement (2000). Necessary regulations are implemented in 1.5 of this document pending rulemaking.*

#### **(e) Hunting, Fishing, Trapping and Gathering**

(2)(i) Gathering or Collecting Tree Snails (*Liguus fasciatus*) is banned.

Under the authority of 36 CFR 2.1 (a)(1)(i), 2.2 (a)(1), 2.2 (a)(3), the Big Cypress National Preserve General Management Plan and after consultation with The Florida Fish and Wildlife Conservation Commission, effective May 16, 2005 the collection of snails within the boundaries of the Preserve was prohibited.

*Justification: Orthalicus reses, the “Stock Island Tree Snail” is protected by the State of Florida as an Endangered Species. Liguus fasciatus, the “Florida Tree Snail” is protected by the State of Florida as Species of Special Concern. Pomacea paludosa, the “Apple Snail” is the primary food source of the Snail Kite, an Endangered Species.*

*The Big Cypress NP General Management Plan recognizes the need to protect species listed by the State of Florida as endangered, threatened or of special concern. Additionally the taking of these species would constitute a significant adverse impact on Preserve resources and wildlife populations. Therefore the provisions of 36 CFR 7.86 (e)(2)(i) allowing collection of Liguus fasciatus, even for personal use must be rescinded.*